

Hot Issue
Date -4-10-2015

Issue: Oregon CZARA Disapproval

Background/Status: On January 30, 2015, NOAA and EPA jointly disapproved the State of Oregon's Coastal Nonpoint Program, part of a national program that requires coastal states to develop a program for how to reduce nonpoint source pollution to coastal waters.

The decision to disapprove was solely based on the State's need to improve its forestry practices. While Oregon has made significant progress in meeting many of its coastal nonpoint program requirements, NOAA and EPA found that the State has not put in place forestry practices that are protective of water quality and that adequately protect cold water aquatic life. The forestry practices that need improvement include better riparian protections for small and medium size fish bearing streams and small non-fish bearing streams; improvement in practices to reduce sediment runoff from legacy roads; improved practices to reduce sediment runoff from areas prone to landslides; and improved practices to assure that herbicides are properly applied.

The federal agencies also sought public comment on the State's agricultural management measures for which the federal agencies had previously given the State an interim approval in 2004. Since then, the federal agencies have received comments from the public that raise concerns about the State's agricultural practices. The federal agencies have not determined whether there are gaps in agricultural practices that would cause the federal agencies to reverse the interim approval. The federal agencies are following up with the State about the specific concerns raised in public comment before making any final decision.

Message: Oregon has shown that it can remedy gaps in its program and put in place measures that are protective of water quality. For example, since NOAA and EPA's December 2013 proposed finding that the State had not addressed program requirements related to septic systems and new development, the State has addressed these gaps. The federal agencies are very hopeful that the State will do the same to address the gaps the agencies have identified related to forestry. In fact, the State is in the process of upgrading its forestry practices with respect to riparian protections for small and medium sized fish bearing streams. The federal agencies are supportive of the State moving forward with a protective riparian rule and encourage the State to address all the remaining forestry gaps identified.

The federal agencies would like to see the State address all the gaps so that the State's CZARA program can be approved in its entirety in the near future.

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